

### **REMARKS**

In view of the following comments, and pursuant to 37 C.F.R. § 1.116, Applicant respectfully requests reconsideration of the Office Action.

#### **Interview Summary**

Assignee thanks the Examiners, Jerry-Daryl Fletcher and Kathleen Mosser, for the courtesies extended to Applicant's representative, Robert D. Summers, Jr. (reg. no. 57,844), during the telephone interview that took place on May 05, 2009. During the interview, the presently pending claims and the prior art references, Dowling (U.S. Patent No. 6,845,361) and Sallette (U.S. Patent No. 6,155,840), were discussed in view of the 35 U.S.C. § 103 rejections. Applicant's representative demonstrated that the prior art references in no way teach, suggest, or disclose a "waiting room" for delayed students that is created by parallel, shifted in time running of several similar electronic workshops, as claimed. The Examiners agreed to reconsider the rejection when Applicant submits a formal response for the Examiners. No further agreement was reached.

#### **Summary of the Amendment**

The Office Action provided grounds for the rejection of claims 1, 8, 9, 11-19, 22-24, and 32-34. Claims 2-7, 10, 20-21, and 25-31 were previously canceled. Applicant respectfully requests reconsideration of pending claims 1, 8, 9, 11-19, 22-24, and 32-34, and allowance of the present application in view of the following remarks.

#### **Detailed Remarks**

##### **I. Rejections Under 35 U.S.C. § 103(a)**

##### **Claims 1, 8, 9, 11-19, 22-24, and 32-34**

Applicant notes that the Office Action rejection, at page 2, rejecting claims 1, 8-9, 11, 17-19, 23 and 32-34, under 35 U.S.C. 103(a), in view of Ziv-el et al. (U.S. Patent Publication No. 2001/0034016), in view of Mariappan (U.S. Patent Publication No.

2002/0187462), in further view of Mortimer et al. (U.S. Patent No. U.S. 6,091,930) (the "Ziv-el-Mariappan-Mortmier combination") is a typographical error. The Office Action clearly points out that the Ziv-el-Mariappan-Mortimer combination alone does not teaches, suggests or discloses all of the features of 1, 8-9, 11, 17-19, 23 and 32-34. The Office Action does assert rejections of the claims in view of the Ziv-el-Mariappan-Mortimer combination, in further view of additional references, as noted below.

- a) The Office Action rejected claims 1, 8-9, and 11, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in further view of Mortimer, in view of Aggarwal et al. (U.S. Patent No. 6,381,444), in view of Dowling (U.S. Patent No. 6,845,361), in view of Sallette (U.S. Patent No. 6,155,840), in view of Rosen (U.S. Patent No. 5,836,771), in view of Shende et al. (U.S. Patent No. 6,341,212), in view of Eisendrath et al. (U.S. Patent No. 6,198,904), further in view of Frasson et al. (U.S. Patent No. 6,341,960).
- b) The Office Action rejected claims 17-18, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, in view of Aggarwal, in view of Sallette, in view of Rosen, in view of Shende, in view of Eisendrath, in view of Frasson, further in view of what would have been known to a person skilled in the art.
- c) The Office Action rejected claims 19, 24 and 32-33, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, in view of Aggarwal, in view of Sallette, in view of Rosen, in view of Shende, in view of Eisendrath, and further in view of Frasson.
- d) The Office Action rejected claim 34, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, and further in view of Eisendrath.
- e) The Office Action rejected claims 12-14 and 23, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, in view of Aggarwal, in view of Sallette, in view of Rosen, in view of Shende, in view of Eisendrath, in view of Frasson, further in view of Raichur et al. (U.S. Patent Publication No. 2001/0034015).

- f) The Office Action rejected claims 15 and 22, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, in view of Aggarwal, in view of Sallette, in view of Rosen, in view of Shende, in view of Eisendrath, in view of Frasson, further in view of Barry et al. (U.S. Patent Publication No. 2003/0180700).
- g) The Office Action rejected claim 16, under 35 U.S.C. 103(a) as being unpatentable over Ziv-el, in view of Mariappan, in view of Mortimer, in view of Aggarwal, in view of Sallette, in view of Rosen, in view of Shende, in view of Eisendrath, in view of Frasson, further in view of Goodyear (U.S. Patent No. 6,311,041).

Independent claim 1 recites "e) establishing at least one interactive on-line session of electronic workshops (21) ..., at least one interactive session being ... divided into several independent parts (A1, B1, B2, B3, B4) with the same or different duration." Claim 1 further recites "the students (1), who do not manage to ... before the start of the electronic workshops (21) are directed first into a 'waiting room' and then automatically including them into the participation in the electronic workshops (21), preferably prior to the commencement of a next part of the workshops." Claim 1 also recites "the 'waiting room' for delayed students (1) being created by parallel, shifted in time running of several similar electronic workshops (21)." In other words, the waiting room of parallel, shifted in time running of several similar electronic workshops includes parallel, shifted in time running of the "several independent parts" of an electronic workshop. The Office Action, at page 9, asserts that Ziv-el, in combination with Mariappan, Mortimer, Aggarwal, Dowling, Sallette, Rosen, Shende, Eisendrath, and Frasson show all the features claim 1.

1. Dowling

However, the references, taken alone or in any combination, do not teach, suggest, or disclose a "waiting room" for students, as claimed. Ziv-el, Mariappan, Mortimer, Aggarwal, Rosen, Shende, Eisendrath, and Frasson do not express even the slightest notion of a "waiting room". The Office Action, at page 9, asserts that Dowling

“teaches that a virtual waiting area may be used for students” and Sallette “teaches that several similar, concurrent workshops could be run.”

Dowling fails to fill the gap left by the references. Instead, Dowling is directed to “systems and methods to maintain an electronic waiting list using local, remote, and wireless computerized devices.” Dowling, at col. 3, ll. 15-18, indicates that the virtual-wait queue system enables “customers to wait their turn in line for physical access to a resource.” Dowling, at col. 11, ll. 15-52, describes the estimated time left in the queue for one or more customers based on “customer resource requirements, the number of people in line in front of the customer, the number of staff members servicing the line, and possibly other information such as percentage of no-shows and number of people in the hold-place-in-line state.” In other words, Dowling may at best teach or suggest a waiting room that is based on resource capacity and demand. Dowling describes a serialized, resource capacity-based virtual wait queue where customers are released from the virtual wait queue based on the customers “place-in-line” in relation to other customers in the wait queue and the resource capacity (e.g., the seating capacity of a restaurant) to which the virtual wait queue is directed.

In contrast, claim 1 recites students are “directed first into a ‘waiting room’ and then automatically including them into the participation in the electronic workshops.” The Application, at ¶¶ 0035 and 0087, indicates that students are “directed to a ‘waiting room’ and automatically included to the workshops at the nearest opportunity.” The workshops are parallel, shifted in time electronic workshops such that a student is directed to a “waiting room” based on when the student logs into the workshop, and not based on the capacity of the workshop or the number of students in the waiting room, or the place-in-line of a student in the waiting room. In other words, all the students in a “waiting room” are automatically included in a workshop at the next available opportunity. Thus, Dowling, taken alone or in any combination with references, cannot be read to teach, suggest, or disclose the “waiting room”, as claimed. Therefore, independent claim 1 and claims 8, 9, 11-19, 22-24, and 32-34, which depend from claim 1, are patentable over the references.

## 2. Sallette

Claim 1 recites “the ‘waiting room’ for delayed students (1) being created by parallel, shifted in time running of several similar electronic workshops (21).” The waiting room of parallel, shifted in time running of several similar electronic workshops includes the “several independent parts (A1, B1, B2, B3, B4)” of an electronic workshop. In other words, waiting rooms are generated for each of several independent parts of an electronic workshop. The Office Action, at page 9, asserts that the references, in combination with Sallette, teach or suggest workshops “staggered in time so as to have allowed late participants to attend a different or complete version of the lecture.”

However, Sallette, alone or in any combination with any other references, fails to teach, suggest, or disclose the “shifted in time running of several similar electronic workshops”, as claimed. Instead, Sallette is directed to “a method and system for providing distributed skill-based training through the use of multiple streaming video feeds and data sharing.” Sallette, at col. 4, ll. 61-65, describes support for “a single distributed learning session or a plurality of concurrent distributed learning sessions.” Nowhere does Sallette, or any of the other references, including Dowling, express even the slightest notion of a “shifted in time running of several similar electronic workshops”, as claimed. Applicant respectfully submits that there is nothing obvious about the parallel, shifted in time running of several similar electronic workshops, as claimed, and requests the Examiner to point to a specific reference that teaches, suggests or discloses these features. Thus, independent claim 1 and claims 8, 9, 11-19, 22-24, and 32-34, which depend from claim 1, are patentable over the references.

## 3. Interactive Sessions A1, B1, B2, B3, and B4

Claim 1 further recites “at least one interactive session being ... divided into several independent parts (A1, B1, B2, B3, B4) with the same or different duration.” Claim 1 also recites “in the part (A1) a presentation to the students ..., in the part (B1) – transmitting ... exercises ...; in the part (B2) – checking of the exercise solutions ... and a discussion between the students by means of remote communication means ...; in the part (B3) – summing-up of the issues and exercise solutions ...; and in the part (B4) – a

discussion between the students (1) by means of remote communication.” In other words, the interactive session is divided into a specific number of independent parts (A1, B1, B2, B3, and B4) and each independent part has a specific scope and purpose. The Office Action, at page 6, asserts that, because Applicant failed to adequately traverse the Official Notice asserted in the response to the previous Office Action mailed on June 10, 2008, (hereinafter “the previous Office Action”), the Applicant admits that a person skilled in the art would know “to the break up the delivery of a lesson into different parts, and to assign different times to each part based on the lesson being taught and the audience being lectured.”

As an initial matter, Applicant respectfully submits that the Office Action, at page 6, concedes “that the references do not specifically teach that the workshops are broken into several independent parts”, and neither the current Office Action nor the previous Office Action assert that a person skilled in the art would have known or the references taken alone or in any combination, teach, suggest, or disclose the specific number and combination of individual parts with the scope and purpose of each part, as claimed. Applicant respectfully requests the Examiner to provide documentary evidence showing that a person skilled in the art would have divided an interactive session into the specific number and combination of individual parts with the scope and purpose of each part, as recited by claim 1. Thus, claim 1 is patentable over the references, taken alone or in any combination. For at least the same reasons as above regarding claim 1, dependent claims 8, 9, 11-19, 22-24, and 32-34, which depend from claim 1, are also patentable over the references.

#### 4. Marriappan

Claim 1 recites “activating electronic consultations (22) between the students (1) and the lecturers (4), following the termination of each interactive session of the electronic workshops (22), with use of remote communication means in the form of at least one tool selected from a group consisting of: electronic mail, voice mail, discussion group, chat and forum.” The Office Action, at pages 5 and 7, asserts that Mariappan teaches “activating electronic consultations”, as claimed.

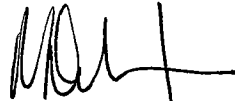
However, Mariappan does not teach, suggest, or disclose activating electronic consultations between the students and the lecturers following the termination of each interactive session of the electronic workshops, as claimed. The Office Action, at page 7, asserts that Mariappan broadly teaches electronic consultations without specifying when the electronic consultations may occur. Mariappan, at ¶¶ 0007 and 0039, indicates that it “is still a further object of the invention to save instructors and teachers time by allowing them to assign homework and practice exams online,” and where “an answer to a student's question is unavailable, he can submit his own question, which is sent as an email to trained personnel, who respond directly to an email address provided by the student.” Nowhere does Mariappan teach or suggest that the trained personnel described therein include the instructor and/or teacher of a student seeking a consultation. In other words, Mariappan may at best teach or suggest an electronic consultation between a student and “trained personnel” who are neither teachers nor lecturers. Thus, Mariappan cannot be read to teach, suggest, or disclose activating electronic consultations between the students and the lecturers, following the termination of each interactive session of the electronic workshops. Thus, claim 1 and claims 8, 9, 11-19, 22-24, and 32-34, which depend from claim 1, are patentable over the references.

## Conclusion

In view of the above remarks, Applicant respectfully submits that this Application is in condition for allowance and such action is earnestly requested. If for any reason the Application is not allowable, the Examiner is requested to contact the Applicant's undersigned attorney at the phone number listed below.

**BRINKS  
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